

Date May 18, 2015

RESOLUTION LEVYING ASSESSMENTS FOR FEES, FINES, PENALTIES, COSTS AND INTEREST IMPOSED IN THE ENFORCEMENT OF THE NEIGHBORHOOD INSPECTION RENTAL CODE AND PROVIDING FOR THE PAYMENT THEREOF
(Schedule No. 2015-03, Activity ID 20-1111-000)

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule have been imposed by the City upon the owners of rental property in the enforcement of the Neighborhood Inspection Rental Code; and,

WHEREAS, each of the owners of the rental property listed in the accompanying schedule have been given notice of the following:

- The amount due from them for the fees, fines, penalties, costs and interest identified in such schedule;
- Their right to appeal the calculation of the amounts due, and the process to make such appeal;
- That if the total amount due from them was not paid within thirty days of when due, or in the event of a timely appeal if not paid within 10 business days of final action on that appeal by the Housing Appeals Board, then:
 - The owner will be charged a late payment penalty in the amount of \$25.00;
 - Interest shall thereafter accrue on the unpaid balance at the rate of 1.5% per month; and,
 - That the City may certify the unpaid balance, accrued interest and late payment penalty to the County Treasurer for collection against the rental property in the same manner as a property tax; and,

WHEREAS, more than 30 days has expired from the date each of the fees, fines, penalties, and costs itemized in the accompanying schedule were originally due, and more than 10 business days has expired from the date of final action by the Housing Appeals Board on any appeals that were timely taken from the calculation of the amounts due; and,

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule remain unpaid; and,

WHEREAS, the City Council of the City of Des Moines desires to exercise the authority granted to it by Iowa Code §364.17 to certify the fees, fines, penalties, costs and interest itemized in the accompanying schedule as a lien against the rental property for collection in the same manner as a property tax; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

★ **Roll Call Number**

Agenda Item Number

12

Date May 18, 2015

1. That the accompanying *Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2015-03, Activity ID 20-1111-000*, is hereby approved, confirmed and adopted with the amounts shown thereof assessed and levied against each property for collection in the same manner as a property tax.

2. That such assessments shall be payable in one installment; shall bear interest at 9.0% per annum which is the maximum rate allowed by Iowa Code Chapter §74A; the one installment of each assessment shall become due and payable on July 1, 2016, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. However, said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after the first date of publication of the Notice of Filing of Schedule.

3. The City Clerk is hereby authorized and directed to certify the accompanying schedule to the County Treasurer of Polk County, Iowa, and to publish the accompanying Notice of Filing of Schedule once each week for two consecutive weeks in the Des Moines Register. The first publication of said Notice shall be made within fifteen days after the date of such certification. On or before the second publication of the Notice the Community Development Department, under the direction of the City Clerk, shall send a copy of the Notice by mail to each property owner whose property is subject to assessment, as shown by the records in the office of the county auditor, all as provided and directed by Iowa Code Section 384.60.

Moved by _____ to adopt.

FORM APPROVED: Roger K Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Clerk

ASSESSMENT SCHEDULE NO: 2015-03

PAGE 1
DATE 05/14/2015
TIME 14:41:03

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
060/01618-003-000 PARCEL H BK 7385 PG 712 E 74F S 130F LOT 211 DOUGLAS ACRES PLAT 2	29-01771-00	2716 E DOUGLAS AVE T - KADING PROPERTIES LLC, T - KADING, MARY M	11/12/2014 Rental Inpection	\$ 201.00	\$ 35.00 \$ 35.00	\$ 236.00
080/01454-001-000 LOT 1 DOUDNA HEIGHTS PLAT NO 2	29-01816-00	2704 ASHBY AVE T - MILLER, TRACY	03/11/2015 Rental Inpection	\$ 133.00	\$ 35.00 \$ 35.00	\$ 168.00
040/02153-000-000 E 50F N 70F LOT 5 OP NE 1/4 SEC 2-78-24; AND E 50F LOT 1 BLK C EAST PARK PLACE	29-01817-00	1815 LOGAN AVE T - MEM INVESTMENT II LLC,	03/11/2015 Rental Inpection	\$ 363.00	\$ 35.00 \$ 35.00	\$ 398.00
050/00176-000-000 LOT 14 BLK 8 BREWER & COMPANYYS ADDITION TO GRANT PARK	29-01818-00	2712 DEAN AVE REAR T - SOLUTIONS INC, T - S & J INNOVATIVE HOUSING, C - BENNETT, ANDREW L C - HANDY ANDY INC DBA,	03/11/2015 Rental Inpection	\$ 135.00	\$ 35.00 \$ 35.00	\$ 170.00
060/06319-002-000 BEG 43.5F SW OF NW COR THN SE 75.35F S 38.33F W 8F NW 91.9F NE 39.3F TO POB LTS 126 & 127 & VAC ALLEY ADJ HUBBELL AVENUE ADDITION	29-01819-00	2303 HUBBELL AVE T - FUNARO, CHARLES D T - FUNARO, LOUISE A T - MACS REAL ESTATE COMPANY LLC, C - MACS REAL ESTATE CO LLC,	11/12/2014 Rental Inpection	\$ 133.00	\$ 35.00 \$ 35.00	\$ 168.00
120/04706-000-000 LOT 14 SOUTH GATE MANOR	29-01821-00	1025 SOUTHDALE DR T - CARROLL, JACK B C - IOWA HOUSE FIXERS LLC, C - CAROLAN, ANGELA	03/11/2015 Rental Inpection	\$ 145.00	\$ 35.00 \$ 35.00	\$ 180.00
110/02014-001-000 S 50F LOT 9 RIGHT OF WAY PLACE; AND S 50 F LOT C BLK 5 DE WOLFS ADDITION	29-01823-00	1296 DE WOLF ST T - FREEMAN, SIMONE R	03/11/2015 Rental Inpection	\$ 135.00	\$ 35.00 \$ 35.00	\$ 170.00
070/00631-000-000 LOT 16 BLK 27 AUBURN HEIGHTS PLT 1	29-01824-00	3009 1ST ST T - OETH, GARY	03/11/2015 Rental Inpection	\$ 216.00	\$ 35.00 \$ 35.00	\$ 251.00

ASSESSMENT SCHEDULE NO: 2015-03

PAGE 2
 DATE 05/14/2015
 TIME 14:41:03

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
070/03769-000-000 LOT 22 BLK 4 NORTH OAK PARK	29-01825-00	3935 9TH ST T - MOULTON, HEATH S T - MOULTON, SARAH M	03/11/2015 Rental Inpection	\$ 163.00	\$ 35.00 \$ 35.00	\$ 198.00
110/00256-000-000 LOT 153 ASHBROOK	29-01826-00	1370 E 15TH ST T - PATINO, FLORENCIO E T - ESTRADA, PAULA	03/11/2015 Rental Inpection	\$ 138.30	\$ 35.00 \$ 35.00	\$ 173.30
040/05685-000-000 E 30 F LOT 6 BLK 66 STEWARTS ADDITION	29-01827-00	1732 E GRAND AVE T - CLAYTON ENTERPRISES,	03/11/2015 Rental Inpection	\$ 110.00	\$ 35.00 \$ 35.00	\$ 145.00
070/03364-000-000 LOT 5 BLK 1 NORTHEAST HIGHLAND PARK	29-01828-00	4017 CAMBRIDGE ST T - WE CAN BUILD IT LC,	03/11/2015 Rental Inpection	\$ 170.00	\$ 35.00 \$ 35.00	\$ 205.00
050/04026-000-000 LOT 25 & W 1/2 LOT 26 BLK 22 YORKS CHOICE	29-01830-00	2200 LYON ST T - GROTH, RICHARD C - DE LA LUS AMAYA, MARIA C - MAYORGA MARTINEZ, JOSE M	03/11/2015 Rental Inpection	\$ 163.00	\$ 35.00 \$ 35.00	\$ 198.00
TOTALS				\$ 2,205.30	\$ 455.00	\$ 2,660.30